



PTO/SB/25 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional)

In re Application of: PRODUCTION OF CARBOHYDRATES, ALCOHOL AND RESINS FROM BIOMASS

Application No.: 09/754,580

Filed: 01/05/01

For: PRODUCTION OF CARBOHYDRATES, ALCOHOL AND RESINS FROM BIOMASS

The owner, David H. Blount, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 09/1754,580, filed on 01/05/01, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent granted on the pending reference application expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. _____

Signature

Date

David H. Blount
Typed or printed name

619-698-6060
Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

Adjustment date: 02/18/2005 PSTANBAC

01/25/2005 SSITHIB1 00000012 0 **WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**
01 FC:999855.00
01/25/2005 SSITHIB1 00000012 09754580

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PTO/SB/26 (09-04)

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TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT

Docket Number (Optional)

In re Application of: PRODUCTION OF CARBOHYDRATES, ALCOHOL AND RESINS FROM BIOMASS
Application No.: 09/754,580

Filed: 01/05/01

For: PRODUCTION OF CARBOHYDRATES, ALCOHOL AND RESINS FROM BIOMASS

The owner, DAVID H. BLOUNT, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,608,184 8/2 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

expires for failure to pay a maintenance fee;
is held unenforceable;
is found invalid by a court of competent jurisdiction;
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
has all claims canceled by a reexamination certificate;
is reissued; or
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. _____

DAVID H. BLOUNT
Signature

02/16/05
Date

DAVID H. BLOUNT

Typed or printed name

619-698-6060
Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) included.

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CORRECT.

 Fee History
Query
 Revenue Accounting and Management

Name/Number: 09754580

Total Records Found: 16

Start Date: Any Date

End Date: Any Date

Accounting Date	Sequence Num.	Tran Type	Fee Code	Fee Amount	Mailroom Date	Payment Method
01/09/2001	00000080	1	<u>201</u>	\$345.00	01/05/2001	CK
10/30/2003	00000021	1	<u>1999</u>	\$75.00	10/24/2003	CK
10/30/2003	00000022	1	<u>1999</u>	\$55.00	10/24/2003	CK
11/13/2003	00000124	1	<u>1999</u>	-\$75.00	10/24/2003	OP
11/13/2003	00000125	1	<u>2001</u>	\$10.00	01/05/2001	CK
11/13/2003	00000126	1	<u>2051</u>	\$65.00	01/05/2001	CK
12/11/2003	00000021	1	<u>1461</u>	\$610.00	12/03/2003	CK
12/18/2003	00000028	1	<u>1999</u>	-\$55.00	10/24/2003	OP
12/18/2003	00000029	1	<u>1461</u>	-\$610.00	12/03/2003	OP
12/18/2003	00000030	1	<u>2453</u>	\$665.00	12/03/2003	CK
09/20/2004	00000004	1	<u>2201</u>	\$43.00	09/17/2004	CK
01/25/2005	00000014	1	<u>9998</u>	\$55.00	01/21/2005	CK
02/18/2005	00000002	1	<u>1999</u>	\$55.00	01/18/2005	CK
02/18/2005	00000001	1	<u>9998</u>	-\$55.00	01/21/2005	OP
02/24/2005	00000018	1	<u>1999</u>	-\$55.00	01/18/2005	OP
02/24/2005	00000019	1	<u>2814</u>	\$65.00	02/23/2005	CK

Correct fee paid
 code is ok.